

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

PUBLIC SERVICE - Commercial Tax Department - Surprise Check conducted on Integrated Check Post, Purushothapuram, Srikakulam District on 10.2.1999 - Departmental action against Sri K.V.Srikanth, ACTO & 5 others - Enquiry - Report - Denovo enquiry - Cancelled - Further action dropped - Orders - Issued.

-----

REVENUE (VIGILANCE.I) DEPARTMENT

**G.O.Rt.No. 1531**

**Dated:29.07.2008**

Read the following :-

1. From DG, ACB Lr.C.No.31/DES-VSK/99-S12, dt.31.3.1999.
2. Govt.Memo.No.31061/CT.I(2)/99-1, dt.16.8.1999.
3. From DC(CT), Visakhapatnam Lr.Rc.No.2312/99/A7, dt.26.4.2001 received thorough CCT Ref.No.DX4/2188/99, dt.6.6.01.
4. G.O.Rt.No.971, Revenue (Vig.I) Deptt., dt.27.5.2003.
5. G.O.Rt.No.2227, Rev (Vig.I) Deptt., dt.21.11.2003.
6. From APAT O.A.No.3002/2004 filed by Sri K.V.Srikanth, ACTO.
7. APAT interim orders dt.05.1.2005 in OA No.3002/2004.
8. Reptn. of APNGOs Assn., dt.31.01.08 & 8.4.2008.

\*\*\*

**O R D E R:-**

In the reference 1<sup>st</sup> read above, on the credible information, the Anti Corruption Bureau officials have conducted surprise check on the Integrated Check Post, Purushothapuram, Itchapuram Mandal, Srikakulam District on 10.2.99 and while furnishing the report he has recommended to take departmental action against the following erring officials who are on duty at the time of surprise check :-

- (a) Sri K.V.Srikanth, ACTO
- (b) Sri K.M.V.Ramana Rao, ACTO
- (c) Sri B.Upendra Rao, Jr. CT Inspector.
- (d) Sri D.V.Ramana, Jr.CT Inspector.
- (e) Sri R.Venugopal, Jr.CT Inspector.
- (f) Sri D.Srinivas, Jr.CT Inspector.

2. Accordingly, the CCT has been directed to initiate departmental action against the above erring officials of Commercial Tax Check post, Purushothapuram, Srikakulam who are on duty for the irregularities noticed during the surprise check through the reference 2<sup>nd</sup> read above.

3. In the reference 3<sup>rd</sup> read above, the Commissioner of Commercial Taxes has furnished report of the Deputy Commissioner (CT), Visakhapatnam wherein he has stated that the Commercial Tax Officer, Narasannapeta, Vizianagaram Division as Enquiry Officer conducted detailed enquiry into the case. Further, the DC(CT) who is the disciplinary authority has examined the record of enquiry and stated that there is no evidence of whatsoever regarding actual collection of bribe amount and actual persons that paid/received the bribe amount and the actual amount paid towards bribe in each case and in the absence of proper evidence no definite responsibility can be fixed on any of the six (6) charged officers and they may be exonerated from both the charges as they are inter linked with each other. Hence, he has opined that further action may be dropped as the charges are not proved during the enquiry.

P.T.O.

::2::

4. Government after careful examination has observed that the EO was not conducted enquiry in accordance with the relevant APCS Rules and hereby appointed the Jt. Collector, Srikakulam as Enquiry Officer and the DCTO, ICP, Purushothapuram as Presenting Officer for conducting denovo enquiry in accordance with the procedure laid down under rule 20 of APCS (CCA) Rules, 1991 against the staff of ICP, Purushothapuram, Srikakulam District through the reference 5<sup>th</sup> & 6<sup>th</sup> read above.

5. In the reference 7<sup>th</sup> read above, Sri K.V.Srikanth, ACTO has filed OA No.3002/2004 against the orders issued in G.O.Rt.No.971, dt.27.5.2003 for conducting denovo enquiry. The APAT in its interim orders dt.5.1.2005 has directed that "pending further consideration of the OA, the respondents shall not take further action in pursuance of GO Rt.No.971, dt.27.5.2003".

6. In the reference 9<sup>th</sup> read above, the AP Non-Gazetted Officers Association have submitted a representation stating that there is no provision in the APCS (CCA) Rules, 1991 for conducting denovo enquiry against the charged officers and also stated that even after completion of 3 years the interim orders were not vacated by the Hon'ble Tribunal and the Hon'ble Tribunal has not issued any directions for conducting "denovo" enquiry. Hence, they have requested the Government to withdraw the denovo enquiry and dispose of the case at the earliest and help the innocent and loyal employees for discharging their duties.

7. Government after careful examination of the matter hereby decided to accept the enquiry report of the Deputy Commissioner (CT) dt.26.4.2001 and drop further action against (a) Sri K.V.Srikanth, ACTO (b) Sri K.M.V.Ramana Rao, ACTO (c) Sri B.Upendra Rao, Jr. CT Inspector (d) Sri D.V.Ramana, Jr. CT Inspector (e) Sri R.Venugopal, Jr. CT Inspector and (f) Sri D.Srinivas, Jr. CT Inspector duly cancelling the orders issued in the reference 4<sup>th</sup> and 5<sup>th</sup> read above.

8. The Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad is requested to take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.SUDHIR  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad.

Copy to:-

The Director General, Anti Corruption Bureau, Hyderabad.

The Secretary to VC, A.P. Vigilance Commission, Hyd.

The individuals through CCT, AP, Hyd.

Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER.